

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION**

DAQUIRI MOSS,

Plaintiff,

v.

NEW BOSTON POLICE DEPARTMENT,  
*et al.*,

Defendants.

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CIVIL ACTION NO. 5:21-CV-00122-RWS-CMC  
(consolidated with 5:21-CV-00124)

**ORDER**

Plaintiff Daquiri Moss, an inmate proceeding *pro se*, filed the above-styled and numbered civil actions complaining of alleged violations of his constitutional rights. The cases were consolidated and referred to the United States Magistrate Judge in accordance with 28 U.S.C. § 636.

On January 3, 2022, Plaintiff was ordered to pay an initial partial filing fee of \$5.00, in accordance with 28 U.S.C. § 1915(b). He received a copy of this order on January 5, 2022, but did not comply. On March 28, 2022, the Magistrate Judge issued a Report recommending dismissal of the lawsuit without prejudice for failure to prosecute or to obey an order of the Court. Docket No. 11. Plaintiff received a copy of this Report on March 31, 2022, but no objections have been received; accordingly, Plaintiff is barred from *de novo* review by the District Judge of those findings, conclusions, recommendations and, except upon grounds of plain error, from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the District Court. *Duarte v. City of Lewisville, Texas*, 858 F.3d 348, 352 (5th Cir. 2017).

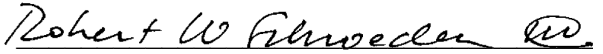
Nonetheless, the Court has reviewed the pleadings and the Magistrate Judge's Report and

agrees with the Report. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir.), *cert. denied*, 492 U.S. 918 (1989) (where no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law."). It is accordingly

**ORDERED** that the Magistrate Judge's Report (Docket No. 11) is **ADOPTED** as the opinion of the Court. It is further

**ORDERED** that the above-captioned consolidated civil actions are **DISMISSED WITHOUT PREJUDICE** for failure to prosecute or to obey an order of the Court.

**So ORDERED and SIGNED this 9th day of May, 2022.**

  
ROBERT W. SCHROEDER III  
UNITED STATES DISTRICT JUDGE